

**To:** Smith, Bonnie[smith.bonnie@epa.gov]  
**From:** White, Terri-A  
**Sent:** Wed 1/15/2014 9:18:34 PM  
**Subject:** FW: Chemical Spill Media Requests

This is not the response Alisha just referred to, but useful info from last Friday's email exchanges.

**From:** Hull, George  
**Sent:** Friday, January 10, 2014 6:47 PM  
**To:** White, Terri-A  
**Cc:** Johnson, Alisha; Conger, Nick  
**Subject:** FW: Chemical Spill Media Requests

Terri,

I'm reaching out to ask your help. Alisha needs a concise answer to the question of whether EPA has inspected the Freedom Industries facility that is the source of the spill. We got some information from OECA HQ staff (see e-mail from John Veresh below), but neither Nick nor I were sure if this means that EPA has not inspected the source facility. Can you help us with this?

George Hull

Office of Media Relations

U.S. EPA

Tel. 202-564-0790

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**From:** Veresh, John  
**Sent:** Friday, January 10, 2014 4:12 PM  
**To:** Conger, Nick; Reed, Lucy  
**Cc:** Dombrowski, John; Lund, Lisa; Gentile, Laura; Hull, George  
**Subject:** RE: Chemical Spill Media Requests

It's not in ECHO as it's over 5 years ago, but there was a State RCRA "focused compliance

inspection” of Etowah River Terminal (WVR000502559) reported to RCRAInfo, on 7/9/2008. No violations were found. I don’t see any EPA inspections of the site of the spill.

**From:** Conger, Nick  
**Sent:** Friday, January 10, 2014 3:55 PM  
**To:** Reed, Lucy  
**Cc:** Dombrowski, John; Lund, Lisa; Gentile, Laura; Veresh, John; Hull, George  
**Subject:** RE: Chemical Spill Media Requests

Lucy at al,

Sorry to keep coming back to you on this, but we have a question on whether EPA has inspected any of their facilities (the main company or the two affiliates listed on their website). We’ll also ask the region, but is it safe to say that only inspection EPA has conducted is highlighted below? Again with the caveats that it goes back five years and beyond that, is only for federal inspections.

I’m about to run into meetings at 4:00, so please reply all so both Laura Gentile and George Hull can handle anything in my absence.

Best,

Nick

Nick Conger

Communications Director

Office of Enforcement and Compliance Assurance

U.S. Environmental Protection Agency

Office: (202) 564-6287

Cell: (202) 412-2655

**From:** Reed, Lucy  
**Sent:** Friday, January 10, 2014 12:13 PM  
**To:** Conger, Nick  
**Cc:** Dombrowski, John; Lund, Lisa; Gentile, Laura; Veresh, John  
**Subject:** FW: Chemical Spill Media Requests

Nick,

See Jerry's response below. I agree with Jerry's response. Your response is accurate if it is in reference to what is available in our national data systems or websites (ICIS and ECHO),

The CWA NPDES permit referenced in Jerry's response is a non-major facility. NPDES effluent (DMR) and related violation data is not required to be reported to our national system for non-major facilities. I agree that Region 3 should be contacted on this. They may have information beyond what is in our data systems. Thanks.

Lucy

**From:** Lappan, Jerry  
**Sent:** Friday, January 10, 2014 11:47 AM  
**To:** Reed, Lucy  
**Cc:** Kane, Rebecca; Veresh, John; Herz, Marion  
**Subject:** RE: Chemical Spill Media Requests

Based on the data available in ECHO and ICIS, and based on the assumption that these are their only two facility location, that's true.

I would hope they would make a quick call to Region 3 for their input?

**From:** Conger, Nick  
**Sent:** Friday, January 10, 2014 11:44 AM  
**To:** Reed, Lucy  
**Cc:** Gentile, Laura; Kane, Rebecca; Veresh, John; Lappan, Jerry; Herz, Marion  
**Subject:** RE: Chemical Spill Media Requests

Ok this is great, thanks Jerry. Looks like we're safe to say that Freedom Industries and its affiliate companies do not have any enforcement violations according to our records.

Ok by you guys?

Nick Conger

Communications Director

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**From:** Reed, Lucy

**Sent:** Friday, January 10, 2014 11:33 AM

**To:** Conger, Nick

**Cc:** Lund, Lisa; Gentile, Laura; Kane, Rebecca; Veresh, John; Lappan, Jerry; Herz, Marion

**Subject:** FW: Chemical Spill Media Requests

Nick,

See below response from Jerry. Hope this helps. Thanks.

Lucy

**From:** Lappan, Jerry

**Sent:** Friday, January 10, 2014 11:30 AM

**To:** Reed, Lucy

**Cc:** Veresh, John; Dombrowski, John; Barrette, Michael

**Subject:** RE: Chemical Spill Media Requests

Not much here.

The company doesn't appear to operate their facilities under the name Freedom Industries. From their website, they reference two facilities:

**Etowah River Terminal in Charleston, WV**, which is also indicated as their corporate office. There are two FRS Registry records for this location:

**ETOWAH RIVER TERMINAL LLC, 1015 BARLOW DRIVE, CHARLESTON, WV 25311 (FRS ID: 110010851541)** which is a NPDES minor General Permit Covered facility.

There is no DMR, compliance, or enforcement data for this facility in ECHO.

**ETOWAH RIVER TERMINAL, 1015 BARLOW DR - SITE B, CHARLESTON, WV 25311 (FRS ID: 110013294167)** which is a RCRA active small quantity generator.

There is no compliance or enforcement data for this facility in ECHO.

Their other location is Poca Blending, in Nitro, WV. There are three FRS records for this facility name (including one in Charleston):

**POCA BLENDING, PLANT ROAD, NITRO, WV 25143 (FRS ID: 110040137189)** which has a RCRA inactive facility record.

There was an EPA inspection (CEI) performed on 11/3/2009. No violation or enforcement data in ECHO.

**POCA BLENDING LLC, PLANT RD PAR INDUSTRIAL PARK BLDG 1, NITRO, WV 25143 (FRS ID: 110043694446)** which has only a TRIS link.

No TRI release/transfer data are shown in ECHO.

**POCA BLENDING LLC, 1015 BARLOW DR, CHARLESTON, WV 25311 (FRS ID: 110010869658)** which is a NPDES minor General Permit Covered facility.

There is no compliance or enforcement data for this facility in ECHO.

**From:** Reed, Lucy  
**Sent:** Friday, January 10, 2014 10:32 AM  
**To:** Lappan, Jerry  
**Cc:** Veresh, John; Dombrowski, John; Barrette, Michael  
**Subject:** FW: Chemical Spill Media Requests

Jerry,

Please follow-up on the below request. Need as soon as possible. Thanks.

Lucy

**From:** Conger, Nick  
**Sent:** Friday, January 10, 2014 9:24 AM  
**To:** Dombrowski, John; Reed, Lucy  
**Cc:** Lund, Lisa; Gentile, Laura; Kane, Rebecca  
**Subject:** Chemical Spill Media Requests

John and Lucy,

You may be aware that a chemical spill has recently occurred in Charleston, Wva into the Elk River. See news coverage of it here: <http://www.chicagotribune.com/news/sns-rt-us-usa-westvirginia-spill-20140109,0,5360274.story>

Can your team help pull an enforcement background check on the company, Freedom Industries, ASAP this morning? We have media calls coming in, including from NBC Nightly News, so the Administrator's office would like us to prioritize this. Past violations, enforcement actions, etc

and any other relevant information you think would help inform our spokespeople here as they speak with NBC and others.

Let me know, thanks,

Nick

Nick Conger

Communications Director

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